

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS

GALVESTON DIVISION

GRADY WARREN ROY

VS.

UNIVERSITY OF TEXAS
MEDICAL BRANCH, ET AL.

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CIVIL ACTION NO. G-06-454

ORDER OF DISMISSAL

_____ Before the Court is the Report and Recommendation of the United States Magistrate Judge dated December 5, 2006, which recommends that this case be dismissed under Rule 4(m) of the Federal Rules of Civil Procedure for failure to accomplish service of the summons and complaint within the allotted 120 days. To date, no objections have been filed.

The December 22, 2006 deadline for filing objections has now passed. Having given this matter the appropriate level of review, this Court is of the opinion that the Report and Recommendation should be, and it is hereby, **ACCEPTED** in its entirety and the Plaintiff's Original Petition" filed by Grady Warren Roy on July 12, 2006, is hereby **DISMISSED, without prejudice, for failing to accomplish service of the summons and complaint within the allotted 120 days.**

DONE at Galveston, Texas, this 12th day of January, 2007.



Samuel B. Kent
United States District Judge